IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 8087 OF 2007

Kishor Popatlal Gandhi ....Petitioner
V/s
Suresh Baba Deshmukh Nagari Sahakari
Patsanstha Ltd. & Ors. ....Respondents.

Mr.Tushar Sonawane, Adv. For the petitioner.

CORAM: A.P.DESHPANDE, J.
30/10/07

PC:

The respondent-credit society instituted a dispute for recovery of an amount against the present petitioner and an ex-parte award came to be passed as the petitioner failed to contest the same. The petitioner applied for setting aside the ex-parte award and as there was delay in filing the said application, application for condonation of delay was filed. The trial Court rejected the application. Aggrieved thereby the petitioner filed revision before the Maharashtra State Cooperative Appellate Court. Though the Revision is allowed the said application was allowed subject of payment of costs of Rs.20,000/-. It is only this part of the order which goes to impose costs of Rs.20,000/- which is challenged in the present writ petition. The impugned order does not call for interference. In the result there being no merit in writ petition same deserves to be dismissed. At this stage learned counsel for the petitioner submits that time for deposit of costs

would expire on 30.10.07 and hence seeks extension for payment of costs by two weeks. The limited prayer made by the petitioner to extend the time for deposit of costs of Rs.20,000/- is granted. The petitioner shall deposit the costs within a period of two weeks from today. Writ petition thus stands summarily dismissed. Parties to act on authenticated copy of the order.

30.10.07